

**CITY OF CLEWISTON
Regular Commission Meeting
May 20, 2013**

The City of Clewiston City Commission held its regular Commission meeting in the City Hall Commission Chambers Monday, May 20, 2013. The meeting was called to order at 5:00 p.m. by Mayor Phillip Roland. Commissioner Miller led the audience in the Lord's Prayer and the Pledge of Allegiance.

Attendance:

Commissioners Present: Mayor Phillip Roland, Commissioner Mali Gardner, Commissioner Richard Miller, and Commissioner Julio Rodriguez. Commissioner James Pittman was absent.

Personnel Present: City Manager Al Perry, Finance Director Ted Byrd, Police Chief Don Gutshall, City Clerk Marilyn McCorvey, Golf Course Superintendent Ford, Recreation Director Lance Ramer, City Attorney Charles Schoech, Utilities Office Manager Rhonda Davis, and Karen Moore.

Visitors Present: Jerry Cochran, Denise Hatton, Christine Howell, Donald Hughes, Curtiss Pullen, Gloria Rosen, and John Wellslager.

ADDITIONS/DELETIONS/CHANGES TO THE AGENDA – None

Margaret Wuerstle, Executive Director of the Southwest Florida Regional Planning Council Presented their Comprehensive Economic Development Strategy Plan 2012-2017

1. Consent Agenda

A. *City Commission Minutes – May 3, 2013*

Commissioner Gardner made a motion, seconded by Commissioner Miller, to approve the Consent Agenda. Vote 4 yeas, 0 nays. (Commissioner Pittman was absent.)

MISCELLANEOUS ACTION AND DISCUSSION ITEMS

- 2. Sewer Agreement with New Harvest Ministries** – New Harvest Ministries requested that their buildings be allowed to hook to the City sewer system. This agreement is needed to finalize that transaction. City Attorney Schoech prepared the agreement with numbers from Utility Department. City Engineer Perry stated New Harvest will share a force main so the place for non-payment cut off needs to be before the adjoining main.

Commissioner Gardner made a motion, seconded by Commissioner Miller, to approve the Sewer Agreement with New Harvest Ministries and authorize the Mayor to sign; contingent upon City staff and City Manager requirements are installed. Vote 4 yeas, 0 nays. (Commissioner Pittman was absent.)

- 3. Interlocal Agreement with Hendry County** - This agreement is for the distribution of the two cents per gallon of additional local option fuel tax. This is a renewal of the agreement and the County approved it at their April 23, 2013 meeting.

Commissioner Rodriguez made a motion, seconded by Commissioner Gardner, to approve the Interlocal Agreement (local option fuel tax) with Hendry County and authorize the Mayor to sign. Vote 4 yeas, 0 nays. (Commissioner Pittman was absent.)

- 4. Pension Plan Provider Discussion** – As the Commission is aware, the City employees' pension plan was frozen in October. Since that time, 6% of employee's salaries has been put aside for the contribution but no plan is in place. The Florida League of Cities, Principal Financial and Securian provided an overview of their services on April 1, 2013. At the May 6, 2013 Commission meeting, a pension provider committee was formed to look at the Florida League of Cities and Securian proposals. This committee met on May 16 and did not offer a definitive recommendation. City Manager Perry stated that Commissioner Pittman has stated his preference is Securian on both the DB and DC plan and his reasons are service, especially

during sign up, diversity of investments, fiduciary responsibilities and guaranteed funds. For the small difference in fees, Commissioner Pittman's preference is Securian. Commissioner Gardner thanked the committee and stated she appreciated them reviewing the documents. It is not a clear recommendation and she knows the fees for the two companies are close. Commissioner Gardner stated she knew how fellow commissioners feel about going with Securian because of the "Gloria factor", however, she is looking at the long term perspective and she believes the FLC offers the long term stability for the plans. FLC knows how to service municipalities. Commissioner Gardner stated she will not support Securian being our pension plan provider. Commissioner Miller stated after years of working for the City, the service and the willingness to help employees from Gloria Rosen has been above and beyond her responsibilities. The new DC plan will be a lot more responsibility for the employees and they are concerned. Commissioner Miller stated this is a huge change for our employees and nobody on City staff is a qualified planner and he respects Ms. Rosen and her financial advice. Commissioner Miller stated he feels the FLC is a bare bones plan and what we will be getting with Securian will be much more extensive. He stated we can look at this again in the future, but we have been happy with Ms. Rosen. Commissioner Gardner stated she appreciates Commissioner Miller speaking up for the employees, but doesn't feel FLC will allow our employees to go down the wrong road, and they will learn and go forward. Commissioner Rodriguez stated a decision needs to be made and he was concerned not only about the costs, but Ms. Rosen working with the employees initially will be a benefit that they will appreciate and enjoy. He stated this is a tough decision and if we are not happy with Securian we should be able to get out. Commissioner Rodriguez stated he does not remember the Commission discussing the pension in the past and he feels Securian will be more responsive to giving updates to the Commission.

Commissioner Rodriguez made a motion, seconded by Commissioner Miller, to approve Securian as the pension provider for the City's DB and DC plans. Vote 3 yeas, 1 nay. Commissioner Gardner voted nay. (Commissioner Pittman was absent.)

5. **City Commission Monthly Meeting Schedule Discussion** - The Commission has been having two meetings per month, with no workshops for the last several months. The Commission asked for this item to be back on the agenda to decide about meetings beginning in June. Mayor Roland recommends we go back to having the Commission meeting on the third Monday of each month and the workshop on the Thursday preceding it. Commissioner Miller agreed a lot was accomplished in the workshops. Commissioner Rodriguez stated he liked the workshop format but he has no problem with the two meetings.

Commissioner Miller made a motion, seconded by Commissioner Gardner, to conduct regular Commission meetings on the third Monday of each month with a workshop on the Thursday preceding it; with both meetings starting at 5:00 p.m. Vote 4 yeas, 0 nays. (Commissioner Pittman was absent.)

6. **Departmental Monthly Reports** – Presented by information only.

PUBLIC COMMENTS - At this time, any person will be allowed to speak on any matter that pertains to City business. None

REPORT FROM FINANCE DIRECTOR - Finance Director Byrd stated the Commission has packet of information and both revenue and expenses are in line, but we do need to put brake on spending.

Public Works Director Scheffler informed the Commission that the paving project paperwork has been completed and notices to proceed have been given to the contractors. Commissioner Rodriguez asked about the cold patch Florida City Gas (FCG) is putting in to repair the asphalt. Director Scheffler stated he has looked at the patches and FCG is putting cold patch in, but they will be putting in hot mix after it settles. Director Scheffler stated the \$3,000 check for the ficus tree has been received and he has placed an order for 5 palm trees with Thornton Nursery. Mayor Roland asked about the black olive trees on Bond Street. Director Scheffler stated the last word he received was to do nothing until he heard back from the Commission. City Manager Perry and Director Scheffler will come back with a recommendation of what trees to plant on Bond Street. Commissioner Miller asked they let the Bond Street store owners know what is going on.

Library Director Barrett stated that the work on the Library Cooperative's web site is nearing completion and the Commission will be sent a sample of the new web site. She stated she was successful putting in a letter of intent for \$100,000 for doing work with different members of the community. She has now been invited to go on to round 2. The library will be holding its first Annual Hispanic awards program Tuesday night and invited everyone to the program.

Recreation Director Ramer presented a design for the spray park to the Commission. The cost of the design is \$41,000 and all of the work on the park will be done in-house. There have been some problems with the pool deck and as soon as this work is finished, we will start on the spray pad. Commissioner Gardner asked what impact this purchase would have on the budget. Director Ramer stated the Commission had told him not to spend more than \$45,000 for the park. Commissioner Rodriguez thought that we might look at a scaled down model and should look at maintenance costs. Commissioner Gardner requested that the City Manager and Recreation Director look at the design and make a determination on moving forward with it.

REPORT FROM CITY MANAGER - City Manager Perry stated the Governor vetoed all of Hendry County's funding today. He reminded everyone about the patriotic program at Central Elementary at 9:00 a.m. Tuesday.

REPORTS FROM THE CITY ATTORNEY – Mr. Schoech stated that Buchanan Services filed a motion to dismiss our motion and we convinced them they had no claim, but they have refiled and we will again file our motion to dismiss. Mr. Schoech stated they have removed their claim of fraud and feels we will prevail with their motions being dismissed again. Mr. Bill Doney is actually handling the court hearings on the City's behalf.

REPORTS FROM THE CITY COMMISSION – Commissioner Gardner reminded everyone that the criminal justice students will have a memorial service on Monday at Ridgelawn. Commissioner Gardner stated she hopes we will have a structure in place and the information needed from Securian at the June meeting. She would also like to see a schedule for budget workshops. Commissioner Gardner recognized Mr. Perez and his son and stated how much she appreciates their endeavor for creating jobs in the City. Mayor Roland asked if we had heard anything from Forest Michael. City Engineer Perry stated we have, and are working with SFWMD to get the permit. Mayor Roland asked if everyone looked at the amount of money we received for road projects. 2012 total money received from option tax was \$391,000. He would like everyone to think we have got to use more money for paving projects as he feels our infrastructure is going backwards since we have not followed a plan in the past. Public Works Director Scheffler stated we have a plan for paving 2-1/2 miles each year which will cover the City in 25 years. We have not done that much paving in several years. Commissioner Gardner commented that WC Owen and Francisco are falling apart and we need the county to look at them. Mayor Roland stated we cannot lose our infrastructure, even if we have to raise taxes.

ADJOURNMENT - 6:15 p.m.

Phillip Roland, Mayor

Marilyn McCorvey, City Clerk